

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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United States of America,

Plaintiff,

v.

No. 03-cr-281 (JNE)  
ORDER

Lazaro Despaigne Borrero,

Defendant.

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Defendant Lazaro Despaigne Borrero has filed a pro se motion under 18 U.S.C. § 3582(c)(2) seeking a reduction in his sentence based on Amendment 782 to the United States Sentencing Guidelines. ECF No. 205. Amendment 782 took effect on November 1, 2014, but no court may “order a reduced term of imprisonment based on [it] unless the effective date of the court’s order is November 1, 2015, or later.” U.S.S.G. § 1B1.10(e)(1).

As the Government has explained, “[it] is anticipated that hundreds of sentence reduction requests under 18 U.S.C. § 3582(c)(2), based upon Amendment 782, will be filed in this District.” Letter to District Judge at 2, ECF No. 206. To ensure the orderly handling and proper prioritization of those motions, “[a] review process has been established for the screening of cases to determine eligibility for sentence reductions . . . .” *Id.*

To allow that review process to take its course, Borrero’s pro se motion is denied without prejudice and the Court appoints the Office of the Federal Defender to represent him in this matter. If, after Borrero’s case has been screened, the Federal Defender declines to file a motion for a sentence reduction on his behalf, Borrero may refile his motion pro se.

Based on the files, records, and proceedings herein, and for the reasons stated above, IT  
IS ORDERED THAT:

1. Defendant's Pro Se Motion to Reduce Sentence [ECF No. 205] is DENIED WITHOUT PREJUDICE.
2. The Office of the Federal Defender is APPOINTED to represent the Defendant.

Dated: December 1, 2014

s/Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge